

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 3, Section
2 354.410, Line 33, by inserting after the semicolon on said line the word "and"; and

3
4 Further amend said bill, Page 10, Section 376.405, Lines 9 through 29, by deleting all of said lines
5 and inserting in lieu thereof the following:

6 "filing and submission of such policy forms as are necessary, proper or advisable. Such rules
7 and regulations shall provide, among other things, that if a policy form is disapproved, [the reasons
8 therefor] all specific reasons for nonconformance shall be stated in writing within forty-five days
9 from the date of filing; that a hearing shall be granted upon such disapproval, if so requested; and
10 that the failure of the director of the department of insurance, financial institutions and professional
11 registration, to take action approving or disapproving a submitted policy form within [a stipulated
12 time, not to exceed sixty] forty-five days from the date of filing, shall be deemed an approval thereof
13 [until such time as the director of the department of insurance, financial institutions and professional
14 registration shall notify the submitting company, in writing, of his disapproval thereof]. If at any
15 time after a policy form is approved or deemed approved, the director determines that any provision
16 of the filing is contrary to state law, the director shall notify the health carrier of the specific
17 provision that is contrary to state law and any specific statute to which the provision is contrary and
18 request that the health carrier file, within thirty days of the notification, an amendment form that
19 modifies the provision to conform to state law. Upon approval of the amendment form by the
20 director, the health carrier shall issue a copy of the amendment to each individual and entity to which
21 the deemed filing was previously issued and shall attach a copy of the amendment to the deemed
22 filing when it is subsequently issued. Such amendment shall have the force and effect as if the
23 amendment was in the original filing or policy. Notwithstanding any provision of law to the contrary,
24 when a policy form is approved or deemed approved and subsequently amended at the request of the
25 director pursuant to this section, the health carrier issuing the policy form shall be considered to have
26 committed a level one violation under section 374.049."; and

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28 Further amend said bill, Pages 24 through 25, Section 376.777, Lines 336 through 354, by deleting
29 all of said lines and inserting in lieu thereof the following:

30 "therefor] all specific reasons for nonconformance shall be stated in writing within forty-five
31 days from the date of filing; that a hearing shall be granted upon such disapproval, if so requested;
32 and that the failure of the director of the department of insurance, financial institutions and
33 professional registration, to take action approving or disapproving a submitted policy form within [a
34 stipulated time, not to exceed sixty] forty-five days from the date of filing, shall be deemed an
35 approval thereof [until such time as the director of the department of insurance, financial institutions
36 and professional registration shall notify the submitting company, in writing, of his disapproval
37 thereof]. If at any time after a policy form is approved or deemed approved, the director determines

Action Taken _____ Date _____

1 that any provision of the filing is contrary to state law, the director shall notify the health carrier of
2 the specific provision that is contrary to state law and any specific statute to which the provision is
3 contrary and request that the health carrier file, within thirty days of the notification, an amendment
4 form that modifies the provision to conform to state law. Upon approval of the amendment form by
5 the director, the health carrier shall issue a copy of the amendment to each individual and entity to
6 which the deemed filing was previously issued and shall attach a copy of the amendment to the
7 deemed filing when it is subsequently issued. Such amendment shall have the force and effect as if
8 the amendment was in the original filing or policy. Notwithstanding any provision of law to the
9 contrary, when a policy form is approved or deemed approved and subsequently amended at the
10 request of the director pursuant to this section, the health carrier issuing the policy form shall be
11 considered to have committed a level one violation under section 374.049."; and
12

13 Further amend said bill, Page 38, Section 376.1900, Line 5, by deleting the word "HIPAA" and
14 inserting in lieu thereof the phrase "federal Health Insurance Portability and Accountability Act
15 (HIPAA)"; and
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17 Further amend said bill and section, Page 39, Line 42, by deleting the phrase "care service;" and
18 inserting in lieu thereof the phrase "care service,"; and
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20 Further amend said bill, Page 39, Section B, Line 1, by deleting all of said line and inserting in lieu
21 thereof the following:

22 "Section B. The enactment of sections 376.1226, 376.1237, 376.1575, 376.1578, and
23 376.1900 shall become effective January 1, 2014."; and
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25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.
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